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Laura Martinez

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/691,033

Confirmation No.: 7549

**Applicant** 

Zongqin Xia, et al. : October 21, 2003

Art Unit

Filed

Examiner

Susan D. Coe (in parent application)

Title

SMILAGENIN AND ITS USE

Docket No.:

HASEL-65949

February 24, 2004

Customer No.

: 24201

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to the duty of disclosure and 37 C.F.R. § 1.97(b), enclosed is Form PTO SB008A, listing art which may be material to patentability of the invention, together with copies of references listed therein. Applicant notes that the disclosed patent, U.S. Patent No. 6,593,301, is the now-issued U.S. National Stage version of International Application PCT/CN98/00214 (Publication No. WO 99/16786), which applicant previously disclosed in the Information Disclosure Statement dated November 5, 2003.

This paper should not be construed as a representation that a search was conducted or that the references listed are material to patentability.

Additionally, pursuant to Applicant's duty under the recent case of *Dayco Products*. *Inc.* v. Total Containment Inc., 66 U.S.P.Q.2d 1801, 329 F.3d 1358 (Fed. Cir. 2003) Applicant brings to the Examiner's attention the status of the following cases which contain subject matter that could be considered similar to the subject of the present application:

Attorney Docket No.	Serial Number	STATUS	
380048-77	09/362,328 filed	Granted 7/10/01 as U.S. Patent No. 6,258,386	
	7/28/99	, , , , , , , , , , , , , , , , , , , ,	
380048-86	09/647,110 filed	Abandoned - All claims rejected.	
	1/11/01 - 371 of		
	PCT/GB99/00951 filed		
	3/26/99		
380048-87	09/647,128 filed	Abandoned – All claims rejected.	
	1/11/01 - 371 of		
	PCT/GB99/00960 filed		
	3/26/99		
380048 - 92	097866,234 filed	Abandoned – All claims rejected.	
	5/25/01		
	Div. of 09/362,328		
	filed 7/28/99		
	USP 6,258,386		
380048-94	10/077,493 filed	Pending – Various claims allowable	
(FPLU Ref.	02/15/2002, which is a		
HASEL-65749)	Cont. of 09/647,110		
	filed 01/11/01		
	Abandoned		
380048-95	10/228,153 filed	Abandoned – all claims rejected.	
(FPLU Ref.	8/26/02		
HASEL-95933)	Cont. of 09/866,234		
	filed 5/25/01		
	which is Div. of		
	09/362,328		
	filed 7/28/99		
200040.06	USP 6,258,386		
380048-96	10/336,176 filed 1/3/03	Pending – Awaiting 1 <sup>st</sup> Office Action.	
(FPLU Ref.	Cont. of 09/647,128		
HASEL-65934)	filed 1/11/01		
	Abandoned		

Serial No. 10/691,033

The above cases were previously disclosed in a prior IDS, but are being repeated here for the sake of completeness.

Additionally, applicant discloses the following additional cases which are being handled by a different law firm, but which contain subject matter which could be considered similar to the subject matter of the present application.

Attorney Haseltine Lake Reference	Serial Number	STATUS
P73395USPC	10/109,095 371 of WO-A-01/23406	Pending
P73396USPC	10/109,204 371 of WO-A-01/23407	Pending
P73397USPC	10/108,737 371 of WO-A-01/23408	Pending
P74076USPC	10/189,024 371 of WO-A-01/49703	Pending
P78629USPC	(Not yet known) 371 of WO-A-02/079221	Pending

This Supplemental Information Disclosure Statement is being submitted prior to issuance of the first Office Action on the merits. Accordingly, no fees are seen as being necessary in connection with this paper. However, if any fees are due the Commissioner is authorized to charge such fees to Deposit Account No. 06-2425.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

DATED: February 24, 2004

Joel D. Voelz

Registration No. 37,957

JDV:me

PTO/SB/08a (05-03) Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet of

Complete if Known				
Application Number	10/691,033			
Filing Date	October 21, 2003			
First Named Inventor	Zongqin Xia			
Art Unit	1651			
Examiner Name	Unassigned			
Attorney Docket Number	HASEL-65949			

	U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.1	Document Number  Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		US- 6,593,301	07/15/03	Ma et al.				
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	Cite No. <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	Kind⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	Τe	
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Examiner	Date	
Signature	Considered	

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (option al). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.